

**KONRAD RAYNES & VICTOR, LLP**

315 S. Beverly Drive, Suite 210  
Beverly Hills, California 90212

Telephone: (310) 556-7983  
Facsimile: (310) 556-7984

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TO EXAMINER MATTHEW D. ANDERSON**

TO: Commissioner for Patents  
Attn: Examiner Matthew D. Anderson  
Group Art Unit 2186  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: David W. Victor

OUR REF: 0018.0074  
TELEPHONE: 310-556-7983

Total pages, including cover letter: 26

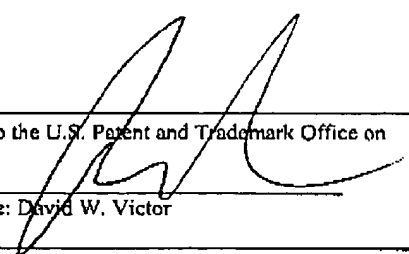
**PTO FAX NUMBER 1-703-872-9306**

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Description of Documents Transmitted: TRANSMITTAL FOR AMENDMENT (+  
DUPLICATE); RESPONSE TO FINAL OFFICE ACTION

Applicant: D.A. Burton et al.  
Serial No.: 09/630,228  
Filed: August 1, 2000  
Group Art Unit: 2186  
Docket No.: TUC920000013US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
February 8, 2005

By:   
Name: David W. Victor

FORM PTO-1083

PATENT  
TUC920000013US1  
0018.0074

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
D.A. Burton et al. )  
Serial No.: 09/630,228 )  
Filed: August 1, 2000 )  
For: METHOD, SYSTEM, AND DATA )  
STRUCTURES FOR USING METADATA )  
IN UPDATING DATA IN A STORAGE )  
DEVICE )

Examiner: Matthew D. Anderson  
Art Unit: 2186



Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application is an:

- ☒ Amendment 23 pages.  
☐ Petition for Extension of Time.  
☐ Transmittal of Formal Drawings and \_\_\_ sheets of formal drawings.  
☒ Return Postcard.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA RATE		ADDIT. FEE	OR	RATE		ADDIT. FEE
TOTAL	48	MINUS	51	=	0	x	\$0	OR	x 50	\$	
INDEP CLAIMS	17	MINUS	14	=	3	x	\$0	OR	x 200	\$600	
						+	\$0	OR	+ 360	\$	
___ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM							\$0	OR	TOTAL	\$-0-	

- ☒ Please charge Deposit Account No. 09-0449 the amount of \$\_\_\_ to cover the extension fee and also the amount of \$\_\_\_ to cover the claim fee. A duplicate copy of this sheet is enclosed.  
☐ A check in the amount of \$\_\_\_ to cover the extension fee is enclosed.  
☐ A check in the amount of \$\_\_\_ to cover the filing fee is enclosed.  
☐ A check in the amount of \$\_\_\_ to cover the petition fee is enclosed.  
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0449. A duplicate of this sheet is enclosed.  
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.  
☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

David W. Victor  
 Registration No. 39,867  
 KONRAD RAYNES & VICTOR, LLP  
 315 S. Beverly Drive, Suite 210  
 Beverly Hills, CA 90212  
 (310) 556-7983 (voice)  
 (310) 556-7984 (fax)

Dated: February 8, 2005

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 Commissioner for Patents, Alexandria, P.O. Box 1450, VA 22313-1450 on February 8, 2005.

David W. Victor

2/8/05  
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D.A. Burton et al. Examiner: Matthew D. Anderson  
Serial No.: 09/630,228 Group Art Unit: 2186  
Filed: August 1, 2000 Docket No.: TUC920000013US1  
TITLE: METHOD, SYSTEM, AND DATA STRUCTURES FOR USING  
METADATA IN UPDATING DATA IN A STORAGE DEVICE

CERTIFICATE UNDER 37 CFR 1.8:

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David W. Victor

2/8/05  
DateRESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the final office action dated November 10, 2004 ("Final Office Action), in which the Examiner allowed claims 2-5, 7-14, 17-20, 22-29, 32-35, 37-41, 44, and 45; found that claims 6, 21, 36, 46, and 48 would be allowed if rewritten in independent form; and rejected claims 1, 15, 16, 30, 31, 42, 43, and 47 as anticipated (35 U.S.C. §102) or obvious (35 U.S.C. §103) over cited art. Applicants amended allowable claims 6, 21, and 36 to place these claims in condition for allowance.

On February 1, 2004, the attorney for Applicants and the Examiner held a phone interview discussing the rejection. The attorney explained how the claims distinguished over the cited art and the Examiner said he would consider the attorney's arguments. In a follow-up phone call, the Examiner cited additional sections of the prior art. Applicants traverse the prior art rejections, including the additional sections the Examiner cited in his phone call, and submit that all pending claims 1-48 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks/Arguments** begin on page 18.

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